

REMARKS

In response to the above-identified Office Action, the Applicants have amended their application and respectfully request reconsideration thereof.

Claims 1-41 stand rejected under 35 USC 102(e) as being anticipated by U.S. patent No. 6,058,267 (hereinafter "Kanai"). The Applicants respectfully traverse this rejection for the reasons set out below.

*To anticipate a claim, the reference must teach every element of the claim. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).*

It is respectfully submitted that each and every element of Claim 1 is not found, either expressly or inherently described, in Kanai.

In Kanai, the transaction routing unit routes each transaction to one of the transaction processors according to feature parameters extracted from each transaction and the processing history information from past transactions (see column 5, lines 39-44). Kanai further describes that access requests are made to managed data in a plurality of data storage regions whereafter a new data arrangement is determined (i.e. history data is updated) in the data storage regions (column 5, lines 45 - 57). The transaction to be processed is routed at the receiving step to one of a plurality of transaction processors whereafter the data arrangement to be used is determined (column 5, line 62 - 6 line 4). The reliance of Kanai on processing history is further illustrated at column 28 line 48 - 29 line 20. Kanai describes a system where an incoming transaction is processed based on historical data of related transactions, which historical data is used to process transactions. Incoming transactions are not routed based upon data associated with the device actually processing the request.

In contrast, Claims 1 and 14 of the present application require that transactions are routed based upon resource data which is indicative of the capabilities of resources associated with the transactional processing system. The resource data is used to identify a resource that, once it has been identified, is supplied with the transaction.

The data requested in Kanai is data required by the transaction processor, which has already been identified, to actually process the transaction and not for routing purposes. The data in Kanai is associated with previous transactions and not with the resources/devices that process transactions. The invention as claimed thus differs fundamentally from the disclosure in Kanai. The fundamental differences are expanded upon in the dependent claims. For example, unlike Kanai that references historical data for processing the transaction and thus communicates this data to the transaction processing system, in Claim 2 of the invention resource data is supplied to a transaction routing controller which routes the transaction based on the resource data. In Claim 5 resource data is supplied from the transactional processing system and not to the transactional processing system as in Kanai (see column 18, line 42 – 50). The data in the present invention is then used to route the transaction to an appropriate transactional processing system, which may be reserved (see Claims 6 – 11).

In view of the above, the Applicants submit that the invention is not anticipated by Kanai and reconsideration of the application, as amended, is earnestly requested. Specifically, the Applicants contended that each and every element of independent Claims 1 and 14 is not found, either expressly or inherently described in Kanai. Accordingly, the Applicants contended that the rejection of independent Claims 1 and 14 under 35 USC 102(e) has been addressed, and allowance of the claims is respectfully requested.

It should be noted that the amendments to the claims have not been made with view to overcoming any prior art of which the Applicants are aware, or that has been cited in the present Office Action. The above amendments have been made with a view more clearly to describe the invention and to modify the form of the claims. For example, the word "steps" has been removed

from the method claims so as to avoid interpretation of the relevant method claims under 35 U.S.C. § 112, paragraph 6. It should furthermore be noted that the amendments to the claims seek to clarify the intended import of the claims, and have not been made with view to overcoming any prior art of which the Applicants are aware, or to secure allowance of the claims.

Applicants furthermore contended that the amendments are not of such a nature that they raise new issues, or that they necessitate a new search.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicants hereby request such an extension.

Respectfully submitted,  
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

ORIGINAL SIGNED BY

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Dated: \_\_\_\_\_, 2001

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VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Please cancel Claim 27, without prejudice.

Please amend the following claims:

1. (Amended) A method of routing a transaction, the method including [comprising the steps of]:
  - receiving a transaction request associated with the transaction;
  - identifying a resource associated with a transactional processing system [capable of servicing a transaction] based upon resource data, the resource data being indicative of the capabilities of resources associated with the transactional processing system [and a transaction request indicative of a request associated with the transaction]; and
  - routing [supplying] the transaction to the identified resource.
2. (Amended) The method of claim 1, including [the step of] supplying the resource data and the transaction request to a transactional routing controller which routes the transaction based on the resource data and the transaction request.
3. (Amended) The method of claim 1, wherein the transaction contains an identifier indicating the nature of the transaction request.
4. (Amended) The method of claim 3 [2], including [the step of] generating a data message in response to the transaction request, the data message providing [indicating] the identifier to a transactional routing controller.

5. (Unamended) The method of claim 1, wherein the resource data is supplied from the transactional processing system and identifies the resource capabilities associated with each resource of the transactional processing system.

6. (Amended) The method of claim 1, wherein [the step of] identifying [a] the resource includes [comprises]:

comparing the resource data associated with a plurality of transactional processing systems to the transaction request; and

determining a correlation between the resource data and the transaction request;

and

routing the transaction to an appropriate transactional processing system in response to the correlation.

7. (Amended) The method of claim 6 [1], wherein [the step of] determining the [a] correlation between the resource data and the transaction request is determined in accordance with a set of associated operating rules.

8. (Amended) The method of claim 1, which includes [further including the step of:] reserving the resource which has been identified [after identifying the resource as capable of servicing the transaction].

9. (Amended) The method of claim 8, which includes [further including the step of:] communicating [supplying] a reservation response from the transactional processing system to a transactional routing controller to confirm [indicating] that the resource has been reserved.

10. (Amended) The method of claim 9, which includes [further including the step of:] generating a routing message based upon the reservation response, the routing message indicating the identity of the [reserved] resource which has been reserved.

11. (Amended) The method of claim 9, which includes [further including the step of:] supplying the transaction to the [reserved] resource which has been reserved based upon the routing message.

12. (Unamended) The method of claim 1, wherein the transaction is supplied to a queue associated with the identified resource, the queue being configured to supply the transaction to the identified resource.

13. (Amended) The method of claim 1, wherein the transaction is supplied to the transactional processing system[, the transactional processing system being configured to supply] which then supplies the transaction to the identified resource.

14. (Amended) An apparatus to route a transaction, the apparatus including [comprising]:

a transaction handler [configured] to receive a transaction and generate a transaction request;

a transactional routing controller [configured] to:

(1) receive the transaction request and resource data from at least one [a] transactional processing system, the resource data being indicative of the capabilities of resources associated with the transactional processing system;

(2) identify an appropriate resource associated with the transactional processing system[, in accordance with associated operating rules, capable of

servicing the transaction] based upon the resource data and the transaction request; and

(3) supply the transaction to the appropriate resource.

15. (Amended) The apparatus of claim 14, wherein the transaction contains an identifier indicating the nature of the transaction request.

17. (Amended) The apparatus of claim 15, wherein a data message is generated by the transaction handler to provide [indicates] the identifier to the transactional routing controller.

17. (Unamended) The apparatus of claim 14, wherein the resource data from the transactional processing system identifies the resource capabilities associated with each resource of the transactional processing system.

18. (Amended) The apparatus of claim 14, wherein the transactional routing controller compares the resource data and [to] the transaction request to determine a correlation value between the resource data and the transaction request, the transactional routing controller using the correlation value to identify [determine] the appropriate resource associated with the transactional processing system to service [capable of servicing] the transaction request.

19. (Unamended) The apparatus of claim 14, wherein the transactional routing controller reserves the appropriate resource.

20. (Amended) The apparatus of claim 19, wherein the [at least one] transactional processing system generates a signal confirming [indicating] that the appropriate resource has been reserved.

21. (Amended) The apparatus of claim 19, wherein the transactional processing system supplies a reservation response to the transactional routing controller to indicate [indicating] that the appropriate resource has been reserved.

22. (Amended) The apparatus of claim 21, wherein the transactional routing controller generates a routing message based upon the reservation response, the routing message indicating the identity of the [reserved] resource which has been reserved.

23. (Amended) The apparatus of claim 22 [21], wherein the transaction handler supplies the transaction to the [reserved] resource which has been reserved based upon the routing message.

24. (Unamended) The apparatus of claim 14, wherein the transaction handler supplies the transaction to a queue associated with the appropriate resource, the queue being configured to supply the transaction to the appropriate resource.

25. (Amended) The apparatus of claim 14, wherein the transaction handler supplies the transaction to the transactional processing system which supplies [, the transactional processing system being configured to supply] the transaction to the appropriate resource.

26. (Amended) An apparatus to route a transaction, the apparatus including  
[comprising]:

first means for receiving a transaction and generating a transaction request;

second means [configured to] for:

[(1) receive] receiving the transaction request and resource data  
from a third means;



[(2) identify] identifying an appropriate resource associated with the third means, in accordance with associated operating rules, capable of servicing the transaction based upon the resource data and the transaction request; and

[(3) supply] supplying the transaction to the appropriate resource.

28. (Amended) An apparatus to route a transaction, the apparatus including [comprising]:

a transactional routing controller [configured] to receive a transaction request and resource data from a transactional processing system, the transactional routing controller identifying [configured to identify] an appropriate resource associated with the transactional processing system which is capable of servicing the transaction based upon the resource data and the transaction request; and

wherein the transactional routing controller supplies the transaction to the appropriate resource.

29. (Amended) A machine-readable medium having stored thereon a sequence of instructions which, when executed by the machine, causes the machine to:

receive a transaction request associated with a transaction;

identify a resource associated with a transactional processing system [capable of servicing a transaction] based upon resource data, the resource data being indicative of the capabilities of resources associated with the transactional processing system and a transaction request indicative of a request associated with the transaction; and

route [supply] the transaction to the identified resource.

30. (Unamended) The machine-readable medium of claim 29, wherein the medium supplies the resource data and the transaction request to a transactional routing controller.

31. (Amended) The machine-readable medium of claim 29, wherein the transaction contains an identifier indicating the nature of the transaction request.

32. (Amended) The machine-readable medium of claim 31, wherein [the generates] a data message is generated in response to the transaction request, the data message providing [transaction indicating] the identifier to a transactional routing controller.

33. (Unamended) The machine-readable medium of claim 29, wherein the resource data is supplied from the transactional processing system and identifies the resource capabilities associated with each resource of the transactional processing system.

34. (Amended) The machine-readable medium of claim 29, wherein the medium compares the resource data and [to] the transaction request to determine a correlation between the resource data and the transaction request in order to identify the resource capable of servicing the transaction.

35. (Amended) The machine-readable medium of claim 29, wherein the determination of the [a] correlation between the resource data and the transaction request is determined in accordance with a set of associated operating rules.

36. (Unamended) The machine-readable medium of claim 29, wherein the medium reserves the resource after identifying the resource as capable of servicing the transaction.

37. (Unamended) The machine-readable medium of claim 36, wherein the medium supplies a reservation response to a transactional routing controller indicating that the resource has been reserved.

38. (Amended) The machine-readable medium of claim 37, wherein the medium generates a routing message based upon the reservation response, the routing message indicating the identity of [reserved] resource which has been reserved.

39. (Amended) The machine-readable medium of claim 37, wherein the medium supplies the transaction to the [reserved] resource which has been reserved based upon the routing message.

40. (Unamended) The machine-readable medium of claim 29, wherein the medium supplies the transaction to a queue associated with the identified resource, the queue being configured to supply the transaction to the identified resource.

41. (Unamended) The machine-readable medium of claim 29, wherein the medium supplies the transaction to the transactional processing system, the transactional processing system being configured to supply the transaction to the identified resource.